



Sanchar Nigam Pensioners' Welfare Association

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SNPWA/CHQ/M(S)/DoT/8/25

Dated: 8th October 2025

To

Shri Deb Kumar Chakrabarti

Member (Services), DoT, New Delhi

Subject: *Applicability of Supreme Court Judgment on DNi to All Eligible VRS Retirees — Request for Immediate Issue of Orders for Grant of Benefit*

-Yet another judgment of the Hon'ble High Court of Punjab & Haryana dated 15.09.2025 upholding the law laid down by the Hon'ble Supreme Court regarding grant of DNi — contemptuously disregarded by an obdurate bureaucracy in DoT.

Respected Sir,

We wish to draw your kind attention to the recent decision of *the Hon'ble Punjab & Haryana High Court in CWP No. 16135/2024 (O&M) dated 15.09.2025*, wherein the writ petition filed by BSNL and another was dismissed, thereby reaffirming the settled position of law regarding the Date of Notional Increment (DNi) benefit.

This judgment is yet another addition to a long and unbroken series of consistent judicial pronouncements — by *the Hon'ble Supreme Court, the Hon'ble CAT (Chandigarh Bench), and various High Courts* — conclusively holding that retirees, *including VRS retirees, are entitled to one notional increment falling due on the day following their retirement, provided they have completed one full year of service, notwithstanding any other administrative strings. Any existing executive decision that supposedly bars extending the benefit to VRS stand conclusively and comprehensively superseded, in terms of law, and set aside by the Hon Supreme Court, and, therefore, are redundant, and of no consequence, whatsoever*

1. Supreme Court's Final Order — Principle of Universal Applicability

The Hon'ble Supreme Court, in its *final order dated 20.02.2025*, while modifying its earlier interim directions, has clearly held that the benefit of DNI is not restricted to the petitioners alone *but extends to all similarly placed retirees*, whether or not they were parties to the litigation.

By doing so, the Apex Court has rendered the *DNI principle a law of general application*, binding on all authorities under *Article 141 of the Constitution of India*. The Department is, therefore, *duty-bound* to extend this benefit *suo motu* to all eligible retirees, without awaiting individual representations or further litigation. **Needless to add, the ratio decidendi of a Supreme Court judgment is binding across the nation.**

2. Reaffirmation by the Punjab & Haryana High Court

In *CWP No. 16135/2024 (O&M)*, the Hon'ble High Court has categorically dismissed BSNL's challenge, holding that the Supreme Court's pronouncement on DNI already governs the field, and that no further justification exists for denying the benefit to retirees covered by similar facts.

This judgment once again reinforces that *all eligible VRS retirees*, who have completed a full year of service prior to retirement, *are entitled to the DNI benefit* at par with other retirees.

It may also be noted that the *Special Leave Petition (SLP)* filed by the Union of India in a similar matter has already been dismissed by the Hon'ble Supreme Court, and that DoT itself has extended this benefit to *at least one VRS retiree* — thus establishing clear administrative precedence.

3. Observations of Hon'ble Supreme Court on Government Litigation

The continuing reluctance of some officers in DoT to implement binding judicial directions appears to exemplify the very issues repeatedly censured by the Hon'ble Supreme Court, which has made following scathing indictments

A. *The Government is the litigant in nearly 74% of all admitted cases* before the Supreme Court, primarily due to abdication of decision-making by the executive.

B. The “*docket explosion*” in courts is largely a result of non-performance by administrative authorities.

C. *Hon'ble Chief Justice B. R. Gavai* has remarked that *48% of government litigations are frivolous*

D. The *growing number of contempt cases* against the Government stems from executive defiance of judicial orders.

E. The *lack of accountability* reflects an impersonal and irresponsible attitude, where officers refer decisions to the judiciary merely to evade and shirk from responsibility.

Blatant and continuing disregard of the Hon'ble Supreme Court's judgment, reiterated by multiple judicial institutions, is thus a direct manifestation of this malaise and bureaucratic morass. It results in injustice and needless harassment of senior citizens — the very individuals who have devoted their lives to public service.

4. Need for Immediate and Uniform Implementation

In light of the above, any further delay or selective application of the DNi benefit will *constitute an avoidable administrative misadventure*, resulting in wastage of public funds and judicial time, besides attracting *adverse judicial observations for non-compliance* with binding precedents.

The matter now stands conclusively settled. It is therefore both lawful and administratively prudent that the Department immediately issue a comprehensive order directing BSNL and all other concerned units to *grant the DNi benefit to all eligible VRS retirees, without exception*.

5. Conclusion

The issue has traversed every judicial forum — *from CAT to High Courts to the Hon'ble Supreme Court* — with complete unanimity on the legal principle involved. Continuing to resist implementation at this stage would amount to defiance of judicial authority and wastage of public resources.

We therefore earnestly appeal to your *sense of justice, fairness, and administrative responsibility* to bring this prolonged issue to a just conclusion by ordering immediate implementation of the DNi benefit for all eligible VRS retirees.

With respectful regards,



(G. L. Jogi)

References :

1. Judgment of the Hon'ble Punjab & Haryana High Court in *CWP No. 16135/2024 (O&M) date 15.09.2025*
2. Order of the *Hon'ble Supreme Court* dated 20.02.2025
3. *CAT (Chandigarh) Order* dated 02.02.2024
4. *DoT Order No. 38-45/2024-Pen(T)* dated 20.06.2024

Copy to:

1. MS Anju Rathi Rana, Secy/ Ministry of Law and Justice. Your kind intervention is immediately solicited to impress upon DOT to take due and immediate Cognisance of the Judgment of the Hon Supreme Court, and not to coerce Senior Citizens, despite caution exercised by the Hon Supreme Court to resort to litigations.

Respected Madam This Association is fully confident that the **DOT will face an ignominious situation once Contempt Proceedings are initiated in the Hon'ble Supreme Court** - and it appears that DOT is, regrettably, waiting precisely for that to happen.

However, the most **pertinent and fundamental question**, Respected Madam, is this **why should DOT evade the responsibility and decision-making role when the Hon'ble Supreme Court has already taken all the care and meticulously laid down the law for extending this benefit?**

We have full faith in the fairness of the DOT, though we understand certain Executives riders in the VRS 2919 Scheme (to which we have no official access) may be cited as reasons for withholding this benefit from VRS retirees. Yet, it must be noted that all such executive conditions were already placed before the Hon Supreme Court by the U.O.I (and there by DOT itself) while filing the SLP challenging the extension of this benefit to VRS retirees. **The SLP was summarily dismissed**

Furthermore, in a very recent Judgment dated 15th Sept, 25, the Hon High Court of Punjab and Haryana once again upheld the principle laid down by the Hon Supreme Court-*** that completion of 365 days of regular service prior to retirement is the only exclusive and valid criterion** for grant of the benefit. BSNL, had in that case, placed all related facts and supposed executive limitations before the Court, **yet the SLP was dismissed.**

In light of these developments, how and why should the Department of Telecommunications evade its responsibility to take a clear, lawful decision and instead compel VRS retirees to seek justice through prolonged litigation?

This all round bureaucratic inertia and indecision must be reined in.

The Hon'ble Supreme Court, in its wisdom, concluded that denying this benefit on any ground other than the completion of 365 days of regular service constitutes a clear infringement of the Right to Equality, and is, therefore, violative of Article 14 of the Constitution. What the Department of Telecommunications fails to recognise and acknowledge is that the Judiciary does not view matters through a myopic bureaucratic prism. This, indeed, is the crux of the issue—and it is precisely here that your benign intervention, as the Head of the Department of Legal Affairs, becomes not only desirable but inevitable.

Why, without any justifiable reason should DOT allow wasteful public expenditures, cause loss of precious judicial time, and subject Senior Citizens to unnecessary torment and injustice. Why should **DOT be permitted to wriggle out** simply to shirk its decision-making

Surely, this is not what the Hon'ble Prime Minister expects from the bureaucracy. On the contrary, he has consistently exhorted the administrative machinery to reform — and to reform swiftly — to break free from bureaucratic shackles and deliver justice efficiently and expeditiously.

- not to act as impediments in the path of justice

2. Sh Manish Sinha. Sir, concerned officers of DOT/ Finance, **who, we understand, are the main obstacles, may be advised to go through the Judgment in its totality.** Further, the financial implications, even though of no consequence, are too meagre since hardly about 200 VRS retirees qualify to get this benefit

3. Sh Neeraj Mittal, Secy (T), for information and n/a please.

4. Sh Robert J. Ravi, CMD/ BSJL, for information please.
5. Dr Vidya Sagar, Dir(HR)/ BSNL, for information please.
6. Sh Rajiv Kumar, Director (F)/ BSNL, for information please.
7. MS Roshni Soni, DDG(E)/ DOT, for information and n/ a please